

REMARKS

Applicants acknowledge receipt of the Examiner's Advisory Action dated February 1, 2005. Applicants respectfully request entry of the claim amendments presented in this paper along with the additional evidence presented below and respectfully request consideration of same.

Double Patenting Rejection

Claims 32-92 stand rejected under a non-statutory double patenting rejection in light of U.S. Patent Number 6,377,577. This rejection is a reiteration of a rejection in a previous Office Action, dated March 29, 2004. In response to that rejection, Applicants intended to file a Terminal Disclaimer but as the Final Office Action indicates, no Terminal Disclaimer was previously sent. *See* Final Office Action, p.26 (Nov. 17, 2004). Applicants apologize for the error in failing to file the Terminal Disclaimer at that time. Applicants attempted to correct this error when Applicants became aware of the error by the Final Office Action. *See* Response to Final Office Action, p.11 (Jan. 18, 2005). The Advisory Action indicates that such correction was untimely. *See* Advisory Action (Feb. 1, 2005).

While Applicants respectfully do not concur in the assessment that the Terminal Disclaimer was untimely filed on January 18, Applicants are herewith submitting a new Terminal Disclaimer in response to this double patenting rejection. Accompanying the present response is a Terminal Disclaimer pursuant to 37 C.F.R. § 1.32(c) to overcome the double patenting rejection. Applicants therefore respectfully request the Examiner's withdrawal of the double patenting rejection.

Rejection of Claims Under 35 U.S.C. § 102(a)

Claims 32-89 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Alessandri (“Access Control List Processing In Hardware,” Diploma Thesis, pp. 1-85, October 1997). This rejection is a reiteration of a rejection in the Office Action dated March 29, 2004 to which Applicants responded with a Declaration from Application Serial No. 09/108,071 (the parent to the present application). Applicants note that the Declaration sent in response to the previous Office Action was sent in error and was not the intended 37 C.F.R. § 1.131 Declaration from the parent application that is responsive to the present rejection. When Applicants became aware of this error, Applicants provided a copy of the Declaration of Prior Invention in the United States pursuant to 37 C.F.R. § 1.131 to overcome the cited reference as submitted in Application Serial No. 09/108,071. *See* Response to Final Office Action, pp.11-12. The Advisory Action indicates that such provision of the Declaration was untimely. *See* Advisory Action (Feb. 1, 2005).

While Applicants respectfully do not concur that the January 18 provision of the declaration was untimely, Applicants are herewith resubmitting a copy of the Declaration of Prior Invention in the United States Pursuant to 37 C.F.R. § 1.131 to overcome the cited reference as was previously submitted in Application Serial No. 09/108,071. As detailed in the Declaration of Prior Invention, Applicants conceived the concepts presented in the cited reference prior to October 1997. The Declaration further states that Dominique Alessandri was an intern at Cisco Systems, Inc., an entity related to the Assignee of the present invention, Cisco Technology, Inc. During Alessandri’s term at Cisco Systems, Inc., he was supervised by David Cheriton, one of the inventors of the present invention.

The November 11, 2004 Office Action states that “Applicants ought to file a separate 37 C.F.R. § 1.131 from the parent case in order to overcome the applied art, not the parent

application's Declaration." While Applicants believe that the Office Action may be referring to the incorrectly filed Declaration from the parent application and not in general to resubmitting 37 C.F.R. § 1.131 declarations from a parent, Applicants respectfully refer the Examiner to MPEP 201.06(c) at Section IX wherein it states "[w]here it is desired to rely on an earlier filed affidavit or declaration, the applicant should make such remarks of record in the 37 C.F.R. 1.53(b) application and include a copy of the original affidavit or Declaration filed in the prior nonprovisional application." Therefore, Applicants respectfully submit that by submitting the prior 37 C.F.R. 1.131 Declaration herewith, that Declaration is now of record in the present application.

For the above reason, Applicants respectfully submit that the Alessandri reference is not appropriate prior art in light of the submitted declaration and therefore Claims 32-89 are therefore allowable over that reference. Applicants therefore respectfully request the Examiner's withdrawal of the rejection of these claims.

Rejection of Claims Under 35 U.S.C. § 102(b)

Claims 32-43, 45-70, 72, and 90-92 stand rejected under 35 U.S.C. § 102(b) as being anticipated by McAuley et al. (Fast Routing Table Lookup Using CAMs, Bellcore, pages 1-10, 1993) ("McAuley"). Applicants respectfully traverse the rejection of these claims.

Claims 32, 46-47, 59, and 90 have been amended so that these claims are even more clearly distinguishable over McAuley. However, Applicants have also examined the sections of McAuley as cited by the Examiner, and have found the purported objective evidence teaching Applicants' claims wanting. Furthermore, Examiner has taken official notice of several facts throughout the course of his Office Action. Although Applicants are not directly attacking the teachings of McAuley nor calling for documentary proof of the

officially noticed facts in the present amendment, Applicants are reserving the right to later assert the foregoing should Examiner not find these claims, as amended herein, allowable.

Independent Claims 32, 46, and 59 are amended to more distinctly claim the basis for prioritization of the access control specifiers. Applicants respectfully submit that such basis for prioritization is not disclosed in the McAuley reference. Dependent Claim 47 is further amended to be consistent with independent Claim 46. Applicants further submit that the foregoing amendments do not narrow the claims beyond their original scope, nor do such amendments add new matter to the application.

Independent Claim 90 is amended to more distinctly separate the claimed steps of “selecting an output interface to which to forward the packet” and “determining forwarding permission for the packet.” Applicants respectfully submit that McAuley does not provide disclosure for selecting an output interface to which to forward the packet, nor does McAuley disclose performing both the selecting and determining steps in parallel. Applicants acknowledge that McAuley discloses “packetAddress is used to search all the logical CAMs simultaneously,” as pointed out in the Advisory Opinion (Feb. 1, 2005). But parallel CAM operation is not “selecting an output interface” and “determining forwarding permission” as claimed in Claim 90. Applicants further submit that such amendments do not narrow the claims beyond their original scope, nor do such amendments add new matter to the application.

Claims 39, 48 and 66 are amended to correct informalities due to clerical errors. Such amendments are made merely as an aid to clarity and contain no new matter.

For these reasons, Applicants respectfully submit that Claims 32, 39, 46-48, 59 and 66, and all claims dependent therefrom, are allowable as amended and therefore respectfully request the Examiner’s reconsideration and withdrawal of the rejections thereto.

Dependent Claims 34 and 61 each contain a limitation requiring “said matching and said processing is done in parallel.” Applicants respectfully submit that the referenced sections of McAuley do not disclose either a matching being performed in parallel with a processing or a matching being performed in parallel with a determining, as claimed.

The Office Action cites to McAuley Fig. 3 and CAM-1 through CAM-3 for support of this rejection for Claims 34 and 61. Office Action, p.4. The Office Action also specifically refers to the cited CAMs as the portion of McAuley Fig. 3 that performs a matching step, and Applicants agree that the disclosed CAMs do perform the disclosed mask matching operation in parallel with one another. But the Office Action cites to McAuley’s prioritizer as the portion of Fig. 3 that performs the processing. *See* Office Action, p.4 (“processing said packet based on said matching (page 7, left column, McAuley discloses the prioritizer only enables one buffer to drive its signal onto the output bus.”). Similar arguments are raised in the Office Action for the “matching” and “determining” of Claim 90, although the determining step relates to choosing an output for the packet rather than just processing. There is no disclosure in McAuley that establishes that the prioritizer performs its operation in parallel with that of the CAMs.

In the description of Figure 3, McAuley actually discloses that the prioritizer performs its operation *after* the matching step of the CAMs.

When a packet arrives at the switch, the system extracts its packetAddress. This packet address is used to *search* all the logical CAMs simultaneously. If there are multiple matches, the match prioritizer distinguishes which is the best match. ... The prioritizer only enables one buffer ... to drive its signal ... onto the output bus.

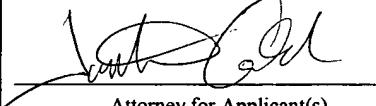
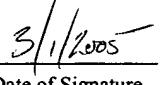
McAuley, p.8, left col. The CAMs perform the matching step first simultaneously with one another. Only after the CAMs have performed their matching step does the prioritizer

perform its distinguishing operation (“[i]f there are multiple matches, the match prioritizer distinguishes...”). Further, only after the match prioritizer has completed its function is an AND gate selected to allow a signal to pass through onto the output bus (an added step in determining the output). Thus, there are actually three distinct steps that occur before a signal can go to the output bus and McAuley’s disclosure requires those steps to occur in sequence rather than parallel.

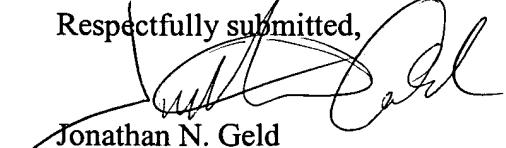
For these reasons, Applicants respectfully submit that Claims 34 and 61 and all claims dependent therefrom, are allowable as written and therefore respectfully request the Examiner’s reconsideration and withdrawal of the rejections thereto.

CONCLUSION

The application is believed to be in condition for allowance, and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on March 1, 2005.	
	
Attorney for Applicant(s)	Date of Signature

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